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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,424	06/13/2001	Catherine Rose Morrow	60001.0037US01/MS149446.1	5411

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EXAMINER

FILIPCZYK, MARCIN R

ART UNIT PAPER NUMBER

2171

DATE MAILED: 01/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/880,424

Applicant(s)

MORROW ET AL.

Examiner

Marc R Filipczyk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Amendment

This action is responsive to Applicant's response filed on November 24, 2003 (paper #7).

Claims 1-12 remain for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by

Richards et al (U.S. Patent No. 5,995,921).

Regarding claims 1, 3-6 and 8-10, Richards discloses a method and a system for providing computer software help utility, comprising the steps of: (col. 1, lines 3-8)

Providing a text input box; (fig. 3B, item 304)

Receiving a search string at the text input box; (fig. 3B, item 306)

Searching a database for answers responsive to the search string; (fig. 3C, "Ask the Expert")

Displaying a list of potential answers responsive to the search string; (fig. 3C, item 312)

Selecting, in response to a user input, one of the potential answers responsive to the search string; (fig. 3C, 308)

Displaying a help text responsive to selecting one of the potential answers (fig. 3C, item 310);

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After receiving the search string at the text entry area, storing the search string in a list of most recently used search strings; (fig. 3, History)

Retrieving the list of most recently used search strings; (fig. 3, History) and

Displaying the list of most recently used search strings (fig. 3, History).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 7, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards et al (hereinafter "Richards") (U.S. Patent No. 5,995,921).

Regarding claims 2, 7, 11 and 12, Richards teaches a method and system for providing computer software help utility, comprising the steps of: (col. 1, lines 3-8)

Providing a text input box; (fig. 3B, item 304)

Receiving a search string at the text input box; (fig. 3B, item 306)

Searching a database for answers responsive to the search string; (fig. 3C, "Ask the Expert")

(Note: large data stored on computer for access and retrieval is a database)

Displaying a list of potential answers responsive to the search string; (fig. 3C, item 312)

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Allowing a user to determine whether an acceptable answer is provided in the list of potential answers; (fig. 3C, item 312, *list*)

(Note: user does not have to select an answer)

Selecting, in response to a user input, one of the potential answers responsive to the search string; (fig. 3C, 308)

Displaying a help text responsive to selecting one of the potential answers (fig. 3C, item 310);

After receiving the search string at the text entry area, storing the search string in a list of most recently used search strings; (fig. 3, History)

Retrieving the list of most recently used search strings; (fig. 3, History) and

Displaying the list of most recently used search strings (fig. 3, History).

Further, Richards' interface is designed to enter multiple questions as many times as desired by a user (see interface fig. 3C) which results in multiple lists of potential answers, however Richards does not explicitly teach that the text input box is on the tool bar of a software application, but instead uses an interface. Examiner takes official notice. It is well known to one of ordinary skill in the art that a web-browser is a software application that allows for the browsing of the World Wide Web and that most web-browsers have a text (search) input box located in the tool bar. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement Richards' input text box on the tool bar as was done in most web-browsers by modifying the interface and displaying the input text box on the tool bar. One of ordinary skill in the art would have been motivated to have an input text box on the tool bar to allow easier user access to the input text box for software help.

Response to Arguments

Applicant's arguments filed on November 24, 2003 have been fully considered but they are not persuasive. The arguments and responses are listed below.

Applicant argues on page 10 of the 11/24/03 response that Richards fails to teach or suggest a method for providing computer software help utility or a computer readable medium having stored thereon computer-executable instructions as recited in claims 1 and 7.

In response to Applicant's argument, Examiner disagrees. Richards teaches a computer software help utility (see abstract) and a computer readable medium having stored thereon computer-executable instructions (see claim 1, *program*).

Applicant argues on pages 10-12 of the 11/24/03 response that Richards fails to teach or suggest that user defined queries are stored in a list of most recently used user-defined queries, retrieved and displayed.

In response to Applicant's argument, Examiner disagrees. Richards teaches user defined queries are stored in history (fig. 3B, *History*). Examiner notes that history by default stores user queries in order.

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With respect to all the pending claims 1-12, Examiner respectfully traverses Applicant's assertions based on the discussion cited above, as such, Examiner maintains the same rejections.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R Filipczyk whose telephone number is 703-305-7156. The examiner can normally be reached on Mon-Fri, 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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January 8, 2004



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